

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 18, 20-28, and 30-36 are pending. In the present amendment, Claims 18, 20-28, and 30-32 are currently amended, Claims 19 and 29 are canceled without prejudice or disclaimer, and new Claims 35 and 36 are added. Support for the present amendment can be found in the original specification, for example, at page 8, line 14 to page 9, line 36, in Figures 2-4, and in original Claims 19 and 29. Thus, it is respectfully submitted that no new matter is added.

In the outstanding Office Action, the specification was objected to, Claims 21-27 and 29 were objected to; Claims 18-27 were rejected under 35 U.S.C. § 112, first paragraph; Claims 18, 32, and 34 were rejected under 35 U.S.C. § 112, second paragraph; and Claims 18-34 were rejected under 35 U.S.C. § 103(a) as unpatentable over Imazu (U.S. Patent No. 7,110,867).

Regarding the objection to the specification, the specification is hereby amended to include section headings. It is respectfully submitted that no new matter is added. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

Regarding the claim objections, it is noted that Claim 29 is hereby canceled. Further, Claims 21-27 are hereby amended to replace the term “integrates” with “includes” to be consistent with Figure 4 which shows that each of the items in the second element are linearly combined, and not integrated. Accordingly, it is respectfully requested that the objection to the claims be withdrawn.

Regarding the rejection of Claims 18-27 under 35 U.S.C. § 112, first paragraph, it is noted that the claims are hereby amended to clearly define the steps of the claimed method in

accordance with U.S. claim drafting practices. Thus, it is respectfully requested that the rejection of Claims 18-27 under 35 U.S.C. § 112, first paragraph be withdrawn.

Regarding the rejections under 35 U.S.C. § 112, second paragraph, it is noted that the terms “the wheels” in Claim 18 is hereby amended to have the correct antecedent basis. Further, Claim 32 is hereby amended to depend on Claim 31, which is hereby amended to depend on Claim 30, such that the terms indicated in the Office Action from Claims 32 and 34 have the correct antecedent basis. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. § 112, second paragraph, of Claims 18, 32, and 34 be withdrawn.

Turning now to the rejection of Claims 18-34 as unpatentable over Imazu, Applicants respectfully request reconsideration of this rejection and traverse this rejection as discussed below.

As discussed above, Claim 18 is hereby amended to more clearly recite steps of a method. One of the steps of the method recited in Claim 18 is calculating an instruction supplement to damp the oscillating modes brought about by stiffness of a kinematic chain between the heat engine and wheels of the vehicle. The calculating of the instruction supplement includes adding weighted values of setpoints to weighted values of physical quantities. Further, the setpoints and the physical quantities are weighted according to a function of an operating point of the vehicle.¹

Accordingly, as can be seen in the exemplary embodiment of Figure 4, both the setpoints and the physical quantities are weighed and then linearly combined to determine the instructions supplement that is added to the main instruction to generate a final instruction. It is respectfully submitted that the cited reference does not disclose or suggest every feature recited in independent Claim 18.

¹ See the original specification, for example, at page 9, lines 6-25 and in Figure 4.

Imazu describes a vibration suppression apparatus that includes a vibration suppression controller 26a that determines a correction torque to dampen translational and rotational displacement of the planetary gear train 3.² Further, Imazu describes that an actual value of both the rotational and translational displacement of the gear train 3 is calculated and compared with an estimated model of these displacements from a plant model to determine both translational and rotational error due to vibration.³

However, it is respectfully submitted that Imazu does not disclose or suggest “calculating an instruction supplement to damp the oscillating modes brought about by stiffnesses of a kinematic chain between the heat engine and wheels of the vehicle, the calculating the instruction supplement including adding weighted values of setpoints to weighted values of physical quantities, and the setpoints and the physical quantities are weighted according to a function of an operating point of the vehicle,” as recited in amended Claim 18.

Instead, as can be seen from Figures 4, 6A, and 6B of Imazu, the calculated torques are directly compared with the estimated torques to determine an error value, *without adding a separate weight to these values*. Thus, the values in Imazu are not weighted according to a function of an operating point of the vehicle. Accordingly, the translation and rotation errors of Imazu which are used to determine the correction torque are not calculated by the same method as the instruction supplements recited in Claim 18.

Therefore, it is respectfully submitted that Imazu does not disclose or suggest every feature recited in independent Claim 18. Thus, it is respectfully requested that the rejection of Claim 18, and all claims dependent thereon, as unpatentable over Imazu be withdrawn.

Independent Claim 28, while directed to an alternative embodiment, recites features similar to those discussed above with respect to Claim 18. Accordingly, it is also respectfully

² See Imazu, at column 5, lines 41-63 and in Figures 2 and 3.

³ See Imazu, at column 5, line 63 to column 6, line 39 and in Figure 3.

submitted that Imazu does not disclose or suggest every feature recited in independent Claim 28. Thus, it is respectfully requested that the rejection of independent Claim 28, and all claims dependent thereon, as unpatentable over Imazu be withdrawn.

New Claims 35 and 36 are added by the present amendment. Support for new Claims 35 and 36 can be found in the original specification, for example, at page 9, lines 6-25 and in Figure 4. Thus, it is respectfully submitted that no new matter is added. New Claims 35 and 36 depend on independent Claims 18 and 28, and thus are believed to patentably define over Imazu for at least the reasons discussed above with respect to Claims 18 and 28.

Further, new Claim 35 recites that “each of the setpoints and the physical quantities are weighted with a different coefficient calculated based on the operating point of the vehicle.” Accordingly, in view of the above discussion of Imazu, which does not include adding weighted values to any of the parameters, it is respectfully submitted that Imazu does not disclose or suggest parameters that are each weighted with a different coefficient. Thus, it is respectfully submitted that Claim 35 and Claim 36, which recites similar subject matter to Claim 35, patentably define over Imazu.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Philippe J.C. Signore, Ph.D.
Attorney of Record
Registration No. 43,922

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/09)

Colin B. Harris
Registration No. 58,969